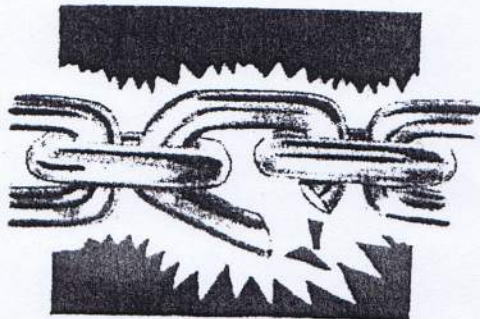




Voices.Con

Term-to-Life Prisoners Converse



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MAY 2014

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Now that the Three-Judge Court in the Plata case has extended the deadline for meeting the population cap, providing an additional 2 years to bring California's prison population down to 137.5%, all of the new "Recidivism Reduction Fund" monies (\$315 million) become available under the State legislature's plan known as Senate Bill 105. This bill provides that if any portion of the \$315 million is unspent at the end of 2013-14, the first \$75 million is to be deposited in the Recidivism Reduction Fund and any additional savings is to be split equally between the Recidivism Reduction Fund and the State's General Fund.

The Governor's Budget 2014-15, estimates \$87.2 million in SB 105 savings, of which \$81.1 million will be transferred to the Recidivism Reduction Fund, and \$6.1 million to the General Fund. So, the Governor's Budget-2014-15 provides for the expenditure of \$81.1 million on programs made available through the Recidivism Reduction Fund.

The CA Governor's Budget (published in January) provides for the expenditure of \$40 million for prisoners within one year of release from prison, either through reentry programs provided in jails or "residential reentry services" provided in facilities within the community. (SAP-Aftercare?) The

Budget also provides for an additional expenditure of \$11.8 million to expand substance abuse treatment programs to 10 non-reentry hub institutions, with expansion to the remaining 11 institutions planned for 2015-16. An additional \$9.7 million to provide substance abuse treatment and other cognitive behavioral therapy programs at the contracted facilities funded through Senate Bill 105.

The new fund will also provide an increase of \$11.3 million to allow the CDCR to expand the "services for Mentally Ill Parolees" program from 600 to 900 slots in 2014-15. This is a program which provides varied levels of care, supportive/transitional housing, and an array of mental health rehabilitation services to assist with independent living skills.

The final \$8.3 million provided through the Recidivism Reduction Fund goes toward the "design of a new project to renovate the existing buildings, which will become an additional reentry hub when activated." At least within the Budget Summary, no further explanation is given as to why the design of this new project is so costly.

The rest of the \$315 million provided through SB 105 are allocated to the CA Department of Corrections & Rehabilitation

prison OVERCROWDING, cont'd

(CDCR) for other expenditures that do not appear to be either rehabilitation or reentry related; such as adding additional management level positions for a "Health Care Facility Improvement Program" and adding additional positions to the Office of the Inspector General for completing medical reviews.

It is difficult to imagine how they justified this one, but an increase of \$61.7 million General Fund monies is provided to expand the Correctional Officer Academy capacity from 720 to 3,400 cadets. The Budget also provides \$100 million to state agencies to address infrastructure maintenance needs. An additional \$75 million will go to the workers' compensation costs, which include retirement and medical benefits, and State Compensation insurance Fund fees. And finally, another \$14 million General Fund monies go to an enhanced "drug and contraband interdiction" program to "increase safety for prison staff and inmates," within the prison environment.

SB 105, Governor Jerry Brown, and Senator Darrell Steinberg's big cure for California's prison overcrowding, provides these expenditures in the amount of \$315 million, in addition to the State's Department of Corrections (CDCR) annual operating Budget of \$9.5 billion.

Perhaps an increase in the number of substance abuse programs could have a positive impact on the currently dismal recidivism rate (at the cost of \$81.1 million), but it's difficult to see how the remainder of this bill's \$315 million would have any long-term effects toward reducing prison overcrowding; the very outcome we were assured SB 105 would bring about.

Source: Governor's Budget Summary - 2014-15, "Corrections & Rehabilitation"

* SUPPORT SB 1363 *

Senate Bill 1363, introduced by Senator Loni Hancock, would require California's parole board to establish criteria for determining whether a term-to-life prisoner is suitable for parole. It would also require the Board to release the prisoner on parole regardless of whether the base term has expired, if the prisoner has been found suitable for parole. SB 1363 would also require the Board's stated reasons for a denial of parole to demonstrate, on the

record, an individualized consideration of all relevant factors. And most importantly, this bill would require that "a decision by the board to deny parole be supported by substantial evidence" which would apply to the entire record. And finally, this bill would require the Board to collect and maintain statistics that show, annually, the number of term-to-life prisoners who are serving a term in excess of their base term of incarceration. The Board would have to report the data to the Legislature on or before January 1, 2016, and annually thereafter.

This bill could not be more on point with what needs to be corrected in board procedure. We know all too well how easily the BPH hands-out boilerplate "lacks insight" recitations when denying parole, even when it lacks any rational connection to our parole suitability. This bill will require that decisions by the Board be supported by substantial evidence. Please support SB 1363. Write or call the contacts listed below and ask how you can help support the passage of SB 1363.

Senator Loni Hancock
State Capitol, Rm. 2082
Sacramento, CA 95814

FCLCA
1225 8th St., Ste.700
Sacramento, CA 94108

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STANDING ON TWO FEET

There are many different things which we ascribe to be part of our personality and identity which dictate our behaviors toward others and our idea of self. Our ego tells us that we sometimes need to argue our point of view in a conversation, or defend against slights to our character. And of course we know that false pride (also ego) sometimes interferes with our rational thinking and actions. We will stand on a principle to the detriment of everything, if we think it serves some purpose or another. But how often do we truly stand up for our own beliefs, and who we are as individuals? How often do we assume risk or rejection to say or do what we believe is right? Or, admit a truth about ourselves? How often are we willing to make ourselves vulnerable to others as a result of our beliefs?

Most term-to-life prisoners have to deal with this at some point of their journey, because it takes complete honesty about ourselves, in order to gain the insight, humility, and perspective we need to rehabilitate ourselves and present ourselves before the Board. It has been part of our history to either stand up and be loyal to some really negative stuff (beliefs) or to deny ourselves and go along with others who we don't really believe in, or agree with. It could be very new for us to stand up for and defend what we believe in, especially when it is not in the majority opinion. But being assertive in a healthy manner, is a healthy skill to have in our arsenal.

One good example would be a person who is gay, yet they live their lives denying this truth to themselves or to others. Another example would be someone who believes in non-violence, or someone who has strong political beliefs. Each of them could easily find themselves in a position where they are alone in their beliefs, and in the case of non-violence, it may be a physically vulnerable situation to be in. Many people in this situation would stay silent or even deny their beliefs in the face of opposition. Others may weakly defend their position, but back down quickly. How many of us would make ourselves vulnerable by being completely honest about ourselves to others, those who may disagree with us, or even reject us based on our disclosure?

The unhealthy part of this is that if we ascribe something to be part of who we are and then deny it, then we are denying ourselves, and become unable to love ourselves. We become unhappy and live in a perpetual state of negative emotions; particularly towards one's self. To know something about our self, or to have a definite belief about something, without being able to express it or find acceptance from others because of it, puts us in a very precarious situation. At our core, we have a need to belong and to be accepted; to feel as if we have worth and value, to ourselves and to others. Without this, we will do illogical and irrational things in order to gain acceptance from others, including tearing down others to make ourselves feel better about ourselves.

The lesson to be learned here is that once we delve upon the journey of self-discovery and we are successful, we must then be true to ourselves and accept who we are; if we are to hope that others will also accept us for who we are. We must be willing to assert ourselves when faced with opportunities for growth. And we must stand up for our beliefs, just as we do other things, such as family. To use the previous examples, someone who discovers they are gay must "come out of the closet" and stand up for who they are. Someone who believes in non-violence must speak up when threatened by violence and stand for their belief. And someone with strong political beliefs must stay true, even when alone with their beliefs. To do otherwise in any of these situations would be betraying oneself, which has consequences to our self-esteem, as well as, our self-worth. Don't let it happen to you. Know yourself and then be yourself, with real pride and love.

* CA PAROLE HEARINGS *

The results of the BPH hearings for the month of February are as follows:

Number of Hearings Conducted:	<u>406</u>
Number of Paroles Granted:	<u>83</u>
Number of Paroles Denied:	<u>123</u>
Number of Stips/Waivers:	<u>77</u>
Number of Postponements:	<u>93</u>

THE PROSECUTOR'S ROLE?

Overzealous would be an understatement of the behavior displayed by most Deputy District Attorneys who appear at parole hearings, wishing to contest the parole of a term-to-life prisoner at the parole consideration hearing.

Under the law, the role of the prosecutor is to bring out the truth. Most citizens are not well acquainted with the procedures that involve the courts or just how their public servants actually carry out their functions. The parole consideration hearing, often removed from the trial by decades, represents a procedure that is almost completely hidden to the public. By law, a representative of the District Attorney's office in the county where the crime was committed has the right to appear at the hearing, ask clarifying questions of the panel, and make a closing statement. This appearance has become so attractive and seen as necessary that some counties' District Attorneys have created a special division within the office for an attorney, or a team of attorneys, to be retained just for the specific purpose of contesting the parole of all term-to-life prisoners who were sentenced by their respective county.

And it gets worse. At the hearing, the DA is permitted by most panels to say anything; it is not a trial (the hearing) so no real fact-finding procedures are held to any standard, and by nature the panel is quasi-judicial, so being that it's not a court proceeding, normal court laws do not apply. The DA knows this, so because they came to the hearing with a hell-bent-for-leather attitude toward keeping the prisoner in prison, they go about spinning thick yarn, to put it as kindly as possible. It amounts to a mini-trial where the DA wants the panel to substitute their judgment for that of the court, and in the political climate of the past 35 years, the parole board has been all too willing to do just that.

It is a rare event when a DA will show up at a parole consideration hearing and speak in support of parole. In nearly all hearings, when a DA shows up, it is to perform one function: oppose parole.

Just so that we are clear, it is the norm for the DA to present a twisted version of the offense. The DA will lie, manipulate the record, use conjecture, innuendo, make outlandish assumptions and conclusions which are then presented as "evidence," and slander anything and everyone who supports

** COMMITMENT **

S T O Y A S R S W P I F S Y I R Y
H S N V T N V Y O E M A T T C A P
W E R E L I A B L E D I C U K I A
Z V P S M U L N O P L T C D O L T
K N T I Q E T I W I Z H U Y A S E
E I C M U V G O B N E F O J U M D
C H A O W P E A E I X U B R H A O
N P R R H A T C G O S L T Y T B P
A U T P I N N B I N K N J O L T S
R I N T U E I O T S E D O I S N U
U S O O I N U N I E X F G P R E B
S H C D D B A L C K Y A V U S M S
S C E I T N O I T A T C E P X E C
A B N A E Y V B I I O R D I S E R
O G L V G R A Y O L P M E Z K R I
P L O F E M C N Y T N A R A U G B
K C I S Q P R E G D E L P N L A E

- | | |
|-------------------|--------------------|
| 1) Accountability | 13) Guaranty |
| 2) Agreement | 14) Invest |
| 3) Assurance | 15) Obedience |
| 4) Binding | 16) Obligation |
| 5) Contract | 17) Pact |
| 6) Covenant | 18) Pledge |
| 7) Duty | 19) Promise |
| 8) Employ | 20) Reliable |
| 9) Engagement | 21) Responsibility |
| 10) Entrust | 22) Service |
| 11) Expectation | 23) Subscribe |
| 12) Faithful | 24) Wed |

the prisoner. Actions that would never be allowed in a courtroom are everyday events at a parole consideration hearing, for the DA anyway. Because they speak near last in order of the events at the hearing, almost never will rebuttal be possible, and even if it were, such activity is not advisable because it is not a court hearing, and parole commissioners would quickly tire of playing referee between the attorneys. The facts are not supposed to be in dispute, but the DA wants to sway the panel with the use of their own version of the crime and the factors preceding it.

The law presumes that all officers of the court will conduct themselves in an ethical manner, but the manner of the average DA at a parole hearing is far from ethical. The reason why is because there is no oversight. The whole criminal justice system is sick from a lack of oversight as to the ethical behavior of its servants. From detectives who conduct interviews with suspects, all the way through the court, jail, prison, and down to parole and probations, there are almost no procedures in place to ensure that citizens are being treated in a fair,

(Cont'd on page 6)



LITTLE KNOWN REASONS TO PAY ATTENTION



For the past several months, we have been surveying various prisoners on the yard regarding the many quarterly package vendors California now requires the state's prison population to utilize. Our survey included Walkenhorst, Access, Union Supply, Golden State, and the new Just Right Packages in Fontana. We asked prisoners to rate each vendor on timeliness, unsolicited substitutions, charges for missing items, item weight not as advertised, promo item not as advertised, and prices. Only two vendors, Walkenhorst and Access do not accept personal checks, and therefore many prisoners with elderly family members that are not computer literate tend to avoid them.

Survey results: Walkenhorst seemed to rate well in all categories with the exception of their prices, which consistently rated higher in price. They also had the personal check mark against them.

Access did well on timeliness and pricing, but did poorly on unsolicited substitutions, charges for missing items, and problems with promo items. They also do not accept personal checks.

Union Supply did well with their promo items, timeliness, and did not seem to charge for missing items. They were doing well in the price category until they published their recent catalog in which they seemed to raise their prices across the table. Now they fail in the price category. They also seem to delete or substitute excessively.

Golden State did well on prices, unsolicited substitutions, and don't have issues relating to charges for missing items. They did not do well on timeliness, and their promo items did not arrive as stated in their advertisement.

Just Right Packages have made an impressive start. They rated best for prices, timeliness, charges on missing items, and substitutions. They also seem to have good ratings in the rest of the categories, although many prisoners have not yet had any experiences with them. They are a new business and hopefully they will maintain their high level of service. We will continue to monitor and report on the above vendors.

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IF YOU HAVE ANY COMPLAINTS ABOUT EGREGIOUS BUSINESS PRACTICES...

Better Business Bureau (BBB) of San Francisco
510 16th St., #550
Oakland, CA 94612
Web: www.oakland.bbb.org
(Walkenhorst)

BBB of Northern Nevada
991 Bible Way
Reno, NV 89502
Web: www.renob.org
(Access)

BBB of the Southland
315 N. La Cadena Dr.
Colton, CA 92325
Web: www.bbbsouthland.org
(Union, Golden State, Just Right)

CA Consumer Affairs Department
Attn: Consumer Information Center
400 'R' Street, Ste., 3000
Sacramento, CA 95814
(State Agency- Covers all businesses)

Note: Please feel free to write our P.O. Box (page-8) and let us know of your experiences with these or any other prison approved vendors. We will always be open to ideas and comments with regard to prison vendor practices. As prisoners serving a term-to-life sentence, we and our families are collectively held hostage to these companies.

prosecutor's ROLE, cont'd

unbiased, unethical manner, at any station.

Every moment that we fail to oversee and control what we call "authorities" in this society, is one moment closer we move toward George Orwell's vision of Dystopia in his prophetic novel "1984."

The problem is that we, and John Q. Public, often pay little interest or care about these things until a friend or a loved one runs afoul of the law, and then it becomes obvious that our concern has come far too late.

CA'S APPOINTED COUNSEL

Listed below are the Board's state appointed attorneys and the prisons which they are assigned to. If you do not retain private counsel for your upcoming BPH hearing, one of these lawyers will be appointed to represent you:

San Quentin/CMF/Solano:

Geoffrey Taft, Will Ramey, Kate Brosgart, Jeffery Hall, Katey Gilbert, Laurie Saunders, Candice Christensen, Lawrence Strauss, Douglas Maner.

Salinas Valley/CTF:

Peter Ferguson, Katey Gilbert, Candice Christensen, John Yahya Ibrahim, Marcia Hurst.

Old Folsom/New Folsom/Mule Creek/SACCO:

Kate Brosgart, Katey Gilbert, Sam Judd, Candice Christensen, Uzoma Ogan, Eirn Morgan, Sabina Crocette.

CA Men's Colony:

Leon Harris, Peter Ferguson, Alexandra Morgan, Geoffrey Ojo.

Valley State Prison/CCW:

Katey Gilbert, Daniel Iyayi, Christopher O'Hara, Douglas Maner.

PVSP/SATF/Corcoran/Kern/Avenal/Wasco/N.Kern:

Patric Sparks, Peter Ferguson, Leon Harris, Christopher O'Hara, Lawrence Strauss, Jeffrey Hall, Elizabeth Comeau, Joseph Haytas, Richard Rutledge, Philip Osula.

CSP-Los Angeles/CCI:

David Ramirez, Alexandra Morgan, Leon Harris.

PRIVATE PSYCHOLOGICAL EVALUATION FOR LIFERS

Many lifers are receiving CDCR/BPH FAD psychological evaluations indicating a moderate or high risk that they do not deserve, based upon the misuse of actuarial measures. This will result in a BPH lengthy denial and many more years of suffering.

A private psychological evaluation, arranged with the help of your attorney, will correct this injustice and in many cases result in your deserved release. If you have such a denial, a new psych report is new evidence, allowing you to go back to the board sooner.

I have over 40 years of experience (over 3000 reports) evaluating lifers and my reports are recognized by the courts.

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Single stamps must have adequate peel-off borders
Envelopes must have current first-class rate postage and no prison markings

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- PLEASE provide any special forms required & complete instructions.

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The Voices.Con newsletter is written exclusively by term-to-life prisoners, unless otherwise noted, focusing on issues of primary concern to those serving a long-term incarceration. The newsletter is published monthly at the VoicesDotCon.org website. This information has been designed to be of potential benefit in any jurisdiction having term-to-life and long-term prisoners and is made available to any other supportive family and friends as well. No persons affiliated with the Voices.Con newsletter are lawyers. Information provided herein is not intended as a substitute for proper legal advice. All questions or comments on information contained herein should be directed to the above E-mail address.

ABOUT VOICES.CON

Voices.Con is an excellent source of nuts and bolts information relating to parole preparation, parole related politics, understanding parole law and current rulings and the importance of retaining the proper counsel and psychologists for parole hearings. This information is provided exclusively by long-term prisoners who have been there and are currently experiencing the ups and downs of the parole process. We are sorry to say that we do not have the resources to hire staff lawyers or provide legal documents of any kind. **We do maintain a mailing list for paid monthly newsletter subscriptions (\$11 annually.)** The Voices.Con newsletter and all past editions, may be downloaded at no cost by any friend or family member at the VoicesDotCon.org website. On occasion, we may have a current or past edition that can be mailed to a prisoner who has nobody else to download it for free. However, this remains completely contingent on the number of donations received at our mailing address. **Please include a Self Addressed Stamped Envelope in any correspondence requiring a response.**

A FEW FACTS TO REMEMBER

- ⇒ Today, more prisoners in U.S. prisons are serving life terms than ever before. With a U.S. prison population of 2.3 million people, 159,520 are serving life terms.
- ⇒ California's prison system peaked at 173,000 prisoners in 2007, making it the largest prison system in the nation. With 35,759 prisoners serving life terms, it also has the most lifers.
- ⇒ In Florida, California, New York, Texas, Georgia and Ohio, at least 85,800 prisoners are now serving some type of life term.

SUGGESTED GUIDELINES FOR SUBMISSIONS

1. We have only one agenda; advocating on behalf of the term-to-life prisoner and distributing information that will further this cause, enabling the term-to-life prisoner to effectively advocate on his or her own behalf.
2. You may write an essay/article on any related subject or issue of concern to the term-to-life prisoner population.
3. We prefer that all submissions be between 250 and 500 words. Please clearly print or type all submitted material.
4. We also accept and encourage all submissions of topical artwork. Please include a Self Addressed Stamped Envelope with any submissions of artwork or written material where a return has been requested.

OTHER AVAILABLE MATERIAL PUBLISHED AT VOICES.CON WEBSITE:

- * Preview or download our Prisoner Support Directory specifically designed for the needs of the term-to-life prisoners—Free
- * Preview or download a complete Newsletter Descriptions List of all previous editions of Voices.Con—Free
- * Preview or download all previous editions of the Voices.Con newsletter ever published—Free
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